

**IN THE MICHIGAN COURT OF APPEALS**

**ORDER**

Re: **Everbank v Khalil Muhammad**

Docket No. **295321**

L.C. No. **09-026895-AV**

David H. Sawyer, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and MCR 7.211(E)(2), orders:

The claim of appeal is **DISMISSED** for lack of jurisdiction because the order of the circuit court on appeal from the district court is not appealable as a matter of right. MCR 7.203(A)(1)(a). An appeal from an order of the circuit court on appeal from another court must come by application for leave to appeal under MCR 7.205. MCR 7.203(B)(2).

The motion to waive fees is **GRANTED** for this case only.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

January 4, 2010  
Date

Sandra Schultz Mengel  
Chief Clerk